



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 9, 2006

VI.3.

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-05-14 AND PARCEL MAP PM-04-290
2003 REPUBLIC AVENUE**

DATE: DECEMBER 29, 2005

FOR FURTHER INFORMATION CONTACT: MEL LEE AICP, SENIOR PLANNER (714) 754-5611

DESCRIPTION

The applicant requests approval of a lot split with a variance from minimum lot width in conjunction with a minor conditional use permit to allow shared driveway access between the two subdivided properties.

APPLICANT

The applicant is Michael Compas, who is also the owner of the property.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

MEL LEE, AICP
Senior Planner

R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARYLocation: 2003 Republic Avenue Application: PA-05-14 and PM-04-290Request: Lot split with a variance from minimum lot width in conjunction with a minor conditional use permit to allow shared driveway access between the two subdivided properties.**SUBJECT PROPERTY:****SURROUNDING PROPERTY:**

Zone: <u>R1</u>	North: <u>I&R, Canyon Park and R1, Residence</u>
General Plan: <u>Low Density Residential</u>	South: <u>R1, Residence</u>
Lot Dimensions: <u>Irregular</u>	East: <u>(Across Republic Ave) R1, Residence</u>
Lot Area: <u>15,333 SF</u>	West: <u>I&R, Canyon Park</u>
Existing Development: <u>Single Family Residence</u>	

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
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Lot Size:		
Lot Width	50 FT	28 FT (Parcel 1)* 34 FT (Parcel 2)*
Lot Area	6,000 SQ. FT.	7,884 SF (Lot 1) 7,448 SF (Lot 2)
*A variance has been requested from this requirement.		
CEQA Status:	Exempt, Class 32 (In-Fill Development Projects)	
Final Action:	Planning Commission	

BACKGROUND

The property contains an existing residence and detached garage, which were constructed in the 1950's.

ANALYSIS

The applicant, who is also the property owner, is proposing to subdivide the existing parcel into two lots in order to construct a two-story, single-family residence on each lot (the existing house will be demolished). Because the proposed lots do not comply with the minimum lot width for the R1 zone, the applicant is requesting approval of a variance. A minor modification is also requested for shared driveway access between the two subdivided properties.

The proposed residences are not subject to approval by the Planning Commission or Zoning Administrator because they will not exceed one per lot, will comply with the City's Residential Design Guidelines for two-story construction, and will comply with all applicable code requirements. However, the project as proposed could not be constructed without the approval of the variance and minor conditional use permit, which are discussed below.

Variance

City code allows granting a variance where special circumstances applicable to the property exist (such as an unusual lot size, lot shape, topography, or similar features) and where strict application of the zoning ordinance would deprive the property owner of privileges enjoyed by owners of other property in the vicinity under an identical zoning classification. Other factors (such as existing site improvements) may also be considered. As indicated earlier, the existing residence and garage are proposed to be demolished to accommodate the project. The variance is required due to the narrow configuration of the site, which fronts on the cul de sac portion of Republic Avenue. It is staff's opinion that this configuration creates a special circumstance for the variance.

The resulting lot sizes (7,448 square feet and 7,884 square feet) exceed the minimum 6,000 square feet lot size in the R1 zone. Staff also notes that the proposed lots sizes are compatible with the existing property to the north (2009 Republic Avenue), which is 7,185 square feet in size.

Minor Conditional Use Permit

The applicant proposes the two properties share a common driveway. A minor conditional use permit for shared access is required. Approval of the permit will limit the two properties to one curb cut, consistent with what currently exists on the property. Additionally, the approval of a single driveway will allow the front of the property to remain compatible in appearance with the other properties on the street, while limiting the amount of paving at the front of the two proposed lots. Staff has

included a condition requiring recordation of a document to ensure reciprocal ingress and egress.

With the exception of the variance from lot width, the subdivision complies with the State Subdivision Map Act.

ALTERNATIVES

If the map were denied, the second single-family residence could not be constructed.

CONCLUSION

Although the variance would result in the creation of lots that would not comply with the minimum lot width for the R1 zone, the use of the proposed subdivided parcels for single-family homes is consistent with the surrounding residential properties. Approval of the shared driveway will allow the appearance of the front of the properties to remain consistent with other properties on the street. Therefore staff recommends approval of the project.

Attachments: Draft PC Resolution
 Exhibit "A" – Draft Findings
 Exhibit "B" – Draft Conditions of Approval
 Applicant's Project Justification Form
 Zoning/Location Map
 Parcel Map

cc: Deputy. City Mgr. - Dev. Svs. Director
 Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Michael Compas
2033 Republic Avenue
Costa Mesa, CA 92627

File: 010906PA0514PM04290	Date: 122705	Time: 10:00 a.m.
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RESOLUTION NO. 06-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-05-14 AND PARCEL MAP PM-04-290**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Michael Compas, property owner with respect to the real property located at 2003 Republic Avenue, variances from minimum lot width and lot area requirements in conjunction with a minor conditional use permit to allow shared driveway access between the two subdivided properties an R1 (Single Family Residential) zone;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 9, 2006;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions in Exhibit "B," the Planning Commission hereby **APPROVES** PA-05-14 and PM-04-290 with respect to the property described above.

BE IT FURTHER RESOLVED that the Planning Commission does hereby find and determine the adoption of this Resolution is expressly predicated upon the activity as described in the staff report for PA-05-14 and PM-04-290 and upon the applicant's compliance with each and all of the conditions contained in Exhibit "B." Any approval granted by this resolution shall be subject to review, modification, or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 9th day of January, 2006.

Bill Perkins Chair,
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on January 9, 2006, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
- a. The proposed development and use is compatible and harmonious with uses both onsite as well as those on surrounding properties.
 - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - c. The project is consistent with the General Plan.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
 - e. The cumulative effects of all planning applications have been considered.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(1) as it applies to the requested variance in that there are special circumstances applicable to the property, where strict application of the zoning ordinance would deprive the property owner of privileges enjoyed by owners of other properties in the vicinity under the R1 zoning classification. Specifically, the variance is required due to the narrow configuration of the site, which fronts on the cul de sac portion of Republic Avenue. This configuration creates a special circumstance for the variance. The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property. Therefore, the granting of the variance is consistent with the use, density and intensity of the general plan and land use designations for the neighborhood.
- C. The information presented substantially complies with Section 13-29(g)(2) of the Costa Mesa Municipal Code for the minor conditional use permit in that the proposed use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, approval of the permit will limit the two properties to one curb cut, consistent with what currently exists on the property. Additionally, the approval of a single driveway will allow the front of the property to remain compatible in appearance with the other properties on the street, while limiting the amount of paving at the front of the two proposed lots. Granting the minor conditional use permit, as conditioned, will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
- D. The creation of the subdivision and related improvements is consistent with the

General Plan and the Zoning Code.

- E. The proposed use of the subdivision is for residential home ownership, which is compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- F. The subject property is physically suitable to accommodate Parcel Map PM-04-290 in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- G. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- H. The subdivision will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the subdivision.
- I. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- J. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA as a Class 32 (in-Fill Development Projects).
- K. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Ping./
Trans.
1. Record reciprocal ingress and egress easements for shared access prior to recordation of Parcel Map PM-04-290.
 2. Both properties shall be limited to one common curb cut.

PLANNING DIVISION - CITY OF COSTA MESA

PA-05-14/

DESCRIPTION/JUSTIFICATION

Application #: PM 2004-209

Environmental Determination: EXEMPT

Address: 2003 Republic Ave

1. Fully describe your request:

RESIDENTIAL LOT SPLIT
TO BUILD 2 HOUSES

2. Justification

A. For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

B. For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

SEE ATTACHED

3. This project is: (check where appropriate) NA

☐ In a flood zone.

☐ Subject to future street widening.

☐ In the Redevelopment Area.

☐ In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

☒ Is not included in the publication indicated above.

☐ Is included in the publication indicated above.

Michael Conyas

Signature

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Date

2-4-05

RE:
2003 Republic Ave
Costa Mesa, Ca 92627
Owner: Michael Compas 949-933-6777

This lot (More than 15k squ' lot w/ 44' frontage) has a unique situation that requires a unique solution. The lot width variance would allow its potential to be realized. The property would be brought into conformance with the existing density, which averages 6K – 8K squ' per lot.

The information presented substantially complies with section 13-29(g)(1) of the Costa Mesa Municipal Code in that special circumstances applicable to the property exist to justify variances from the minimum lot width and area requirements.

Strict application of the zoning ordinance would deprive the property owner of privileges enjoyed by owners of other property in the vicinity under identical zoning classification. Specifically, approval of the applicant's request will allow additional ownership opportunities. The resulting parcels will have a rectangular shape and direct frontage on the public street, elements common to freestanding parcels throughout the City. The number of units cannot be increased even with the approval of the subdivision.

Approval of the subdivision will be compatible with the residential common interest development existing to the north and to the east. The development, even after subdivision, satisfies the City's residential development standards and residential design guidelines. Because the adjoining parcels are already developed, there is no opportunity to enlarge the property by combination with adjoining properties.

The outcome of this application will not effect the physical development of the lot, but will determine whether the two units will be ownership or rental units. Granting the variance will not allow a use, density or intensity, which is not in accordance with the general plan designation for the property.

Excellent design lines for driveway, walks, and entries are possible in this configuration. And, it is possible to create excellent 'curb appeal' ambience with landscaping. Thus, this will be a aesthetic asset, not only to Republic Ave, but also to Canyon Park, below. And they both could benefit from a developmental 'jump start' at this time.

Thank You for Your Consideration,

Michael Compas

2003 REPUBLIC AVENUE

Legend

Street Names

Parcel Lines

Ortho
Photography



Printed: 12/21/2005 8:43:01 AM

Powered By GeoSmart.net

ZONING/LOCATION MAP

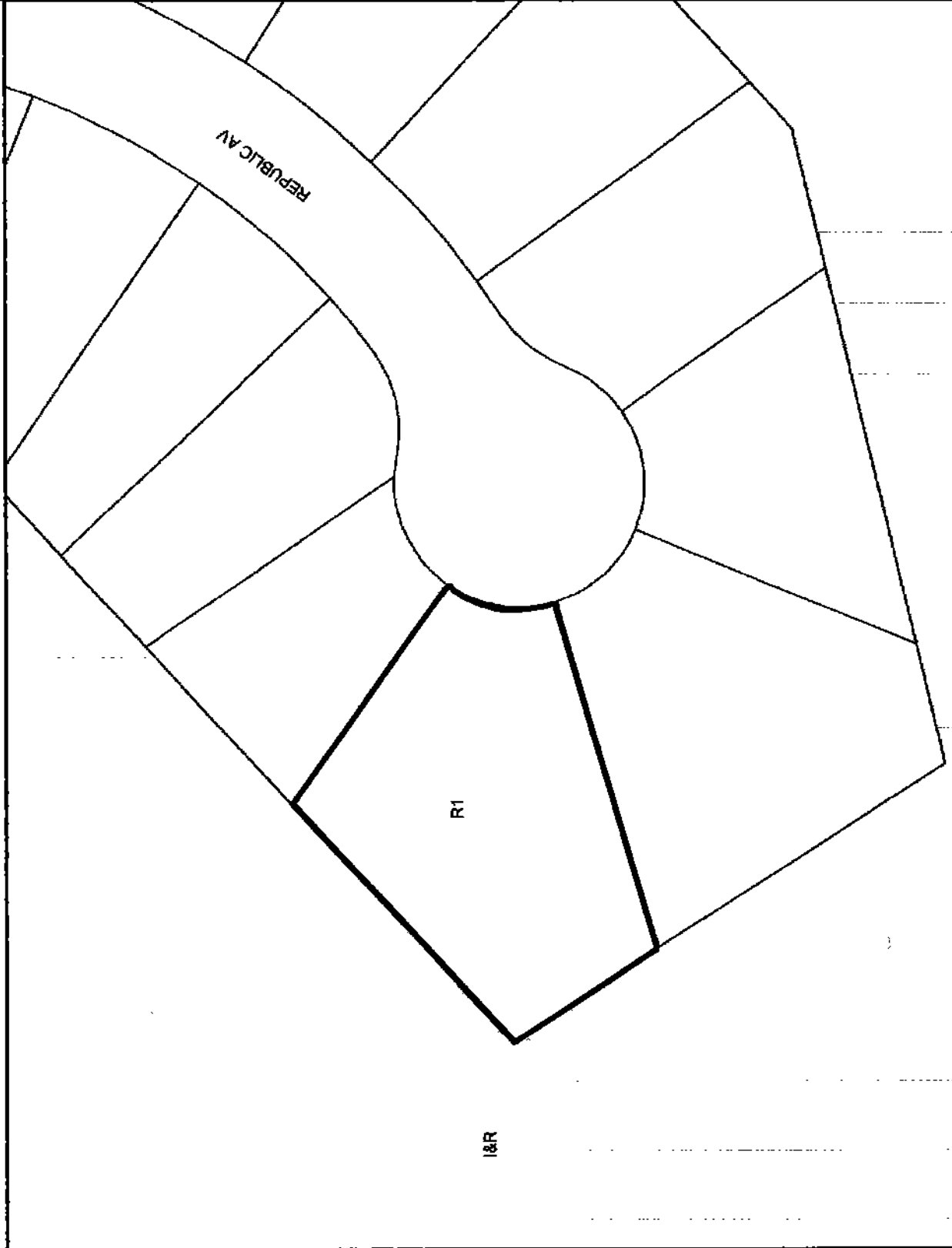
PA-05-14 AND PM-04-290

Legend

Street Names

Parcel Lines

Zoning



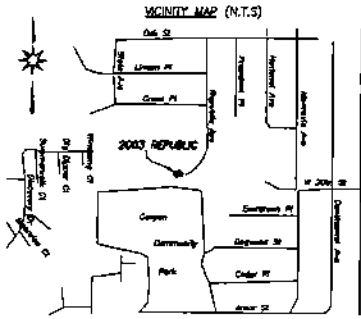
SHEET 1 OF 1 SHEETS
SCALE: 1" = 20'
15,341 SQUARE FEET
SURVEYED (DATE) 2004

TENTATIVE PARCEL MAP NO. 2004-290

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, CALIFORNIA.

BEING A SUBDIVISION OF LOT 159 OF TRACT NO. 1712, PER MAP RECORDED IN BOOK 50, PAGES 32-36 OF MISCELLANEOUS MAPS, RECORDS OF THE COUNTY OF ORANGE, CALIFORNIA.

MARK S. PETRIE, P.L.S. 6902
OCTOBER, 2004



STATEMENT OF PURPOSE

THE PURPOSE OF THIS RECORD OF SURVEY IS TO SUBDIVIDE LOT 159 OF TRACT NO. 1712 INTO 2 LOTS FOR RESIDENTIAL PURPOSES.

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHWESTERLY LINE OF LOT 159 OF TRACT NO. 1712, PER MAP RECORDED IN BOOK 50, PAGES 32-36 OF MISCELLANEOUS MAPS, RECORDS OF THE COUNTY OF ORANGE, CALIFORNIA. SAID BEARING BEING NORTH 33°39'12" WEST.

NOTES

NO DEFINED EXISTING WATERCOURSES, OR NATURAL DRAINAGE LEVEL PAD.

EXISTING PAD EL: 90.0'

ZONE: R-1, SINGLE FAMILY RESIDENTIAL

FLOOD ZONE X, PER FEMA MAP 060216-0264H, DATED 02/16/04, OUTSIDE OF THE 500 YR FLOOD PLANE.

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT AT THE REQUEST OF (OWNER NAME) LANE IN FEBRUARY 2004.

MARK S. PETRIE, P.L.S. 6902
MY REGISTRATION EXPIRES JUNE 30, 2007.

OWNER

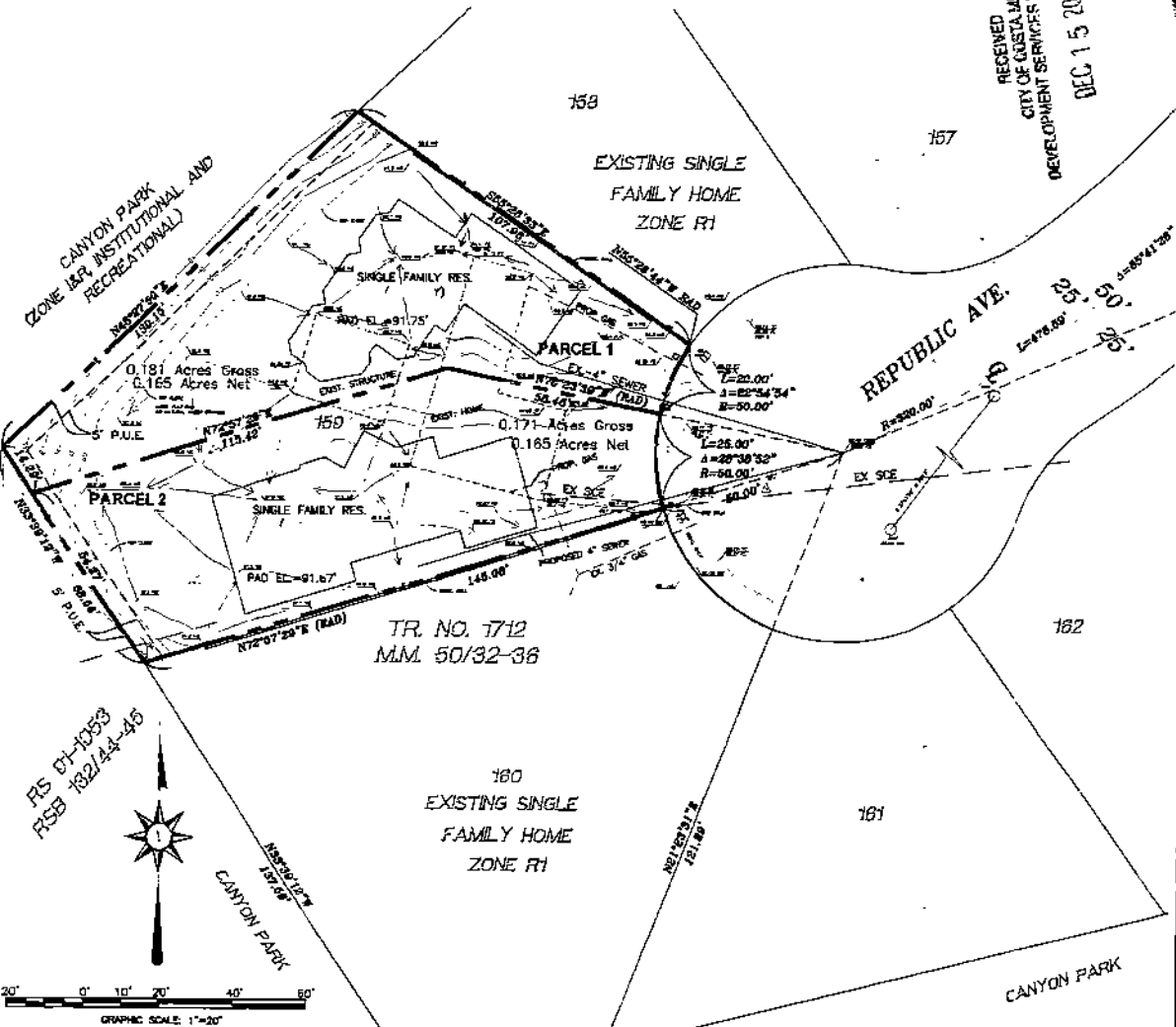
MICHAEL COMPAS
2003 REPUBLIC AVE.
COSTA MESA, CA 92627

SUBDIVIDER/MAP PREPARED BY

SOUTH COAST SURVEYING
3214 CLAY ST.
NEWPORT BEACH, CA 92663



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RECEIVED
CITY OF COSTA MESA
DEVELOPMENT SERVICES DEPARTMENT
DEC 15 2005